

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *29* D.C.  
05 NOV -1 AM 11:07

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CR. NO. 05-20178-B

ELIJAH LESTER,

Defendant.


ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY  
AND SETTING

Due to recent illness, the Defendant's counsel has requested a continuance of the November 7, 2005 trial setting.

The Court granted the request and reset the trial date to December 5, 2005 with a report date of Monday, November 28, 2005, at 9:30 a.m., in Courtroom 1, 11th Floor of the Federal Building, Memphis, TN.

The period from November 18, 2005 through December 16, 2005 is excludable under 18 U.S.C. § 3161(h)(8)(B)(iv) because the ends of justice served in allowing for additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this 31<sup>st</sup> day of October, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance  
with Rule 55 and/or 32(b) FRCP on 11-2-05

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## Notice of Distribution

This notice confirms a copy of the document docketed as number 26 in case 2:05-CR-20178 was distributed by fax, mail, or direct printing on November 2, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT